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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,319	11/17/2003	William R. Brosnan	IGT1P077D1/P-299 CIP CON	5253
22434	7590	10/13/2006	EXAMINER PANDYA, SUNIT	
BEYER WEAVER & THOMAS, LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			ART UNIT 3714	PAPER NUMBER

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/716,319

Applicant(s)

BROSNAN ET AL.

Examiner

Sunit Pandya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 8/28/06.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Acres (US Patent 6,565,434).

A detailed reading of Acres by an artisan of ordinary skill would teach all of the claim limitations of the claims above. Specifically, Column 17 lines 54-60 and Column 52 lines 11-23, disclose a translator 353 that integrates protocols between the host and the bonus promotion system. Acres discloses not just a game of chance with master gaming control, column 12 lines 3-14 and figure 4, wherein Acres discloses a flow chart that inherently teaches of a controller controlling the game begin played on the gaming machine, without the said controller being active in the gaming device the device would be nonfunctional, considering the fact that controller controls all aspect of the gaming device. Figures 8A & 8B also disclose the circuitry for a controlling device that controls the game of chance played on the machine.

Additionally column 24 lines 8-25 discloses that each machine communication interface (MCI) further includes a replication port 78, which emulates the communication port on the gaming device, Acres discloses multiple communications ports, which are

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adapted for communication. This facilitates the use of older third party accounting systems even when an MCI is connected to the gaming device's communication port. Acres also discloses communications protocols, Column 17 lines 54-60 and Column 52 lines 11-23, disclose communications protocols used by a gaming machine function on the machine, wherein Acres discloses multiple communications protocols, wherein the machines are adapted for communications using the communications protocols via communication ports. The MCI can be programmed to perform a translation function wherein the MCI transmits data to the data collection system in whatever language the system requires, e.g. "SAS". With respect to the rest of the details of the claimed subject matter please see columns 41-54 where a detailed description of the Machine Communication interface is outlined.

### ***Response to Arguments***

Applicant's arguments filed 7/24/2006 have been fully considered but they are not persuasive.

The applicant argues that reference does not teach of a gaming controller controlling a game of chance played on the machine. The examiner respectfully disagrees with the applicant; Acres in figure 4 discloses a flow chart that inherently teaches of a controller controlling the game begin played on the gaming machine, without an active controller in the gaming device, the gaming device would nonfunctional, especially since the controller essentially controls all aspect of the

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gaming device. Figures 8A & 8B also disclose the circuitry for a controlling device that controls the game of chance played on the machine.

The applicant also argues that the reference only teaches the controller communicates using a single communication protocol and not multiple communication ports. The examiner respectfully disagrees with the applicant, Acres in column 21 lines 48-60 discloses multiple communication ports and numerous digital input and output ports. And Column 17 lines 54-60 and Column 52 lines 11-23, discloses communications protocols used by a gaming machine function on the machine, wherein Acres discloses multiple communications protocols, however accordingly it would also have been obvious for Acres to implement multiple communication port to make it accessible for communication with a network, wherein the machines are adapted for communications using the communications protocols via communication ports.

Consequently, for the reasons provided above, applicant's arguments have been considered but regarded non-persuasive and the rejection is maintained.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunit Pandya whose telephone number is (571) 272-2823. The examiner can normally be reached on M - F: 7:30 am - 5 pm.

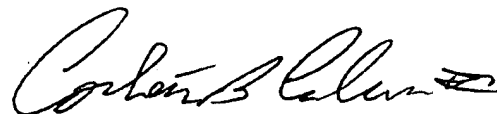
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert OLSZEWSKI can be reached on (571) 272-6788. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SP

A handwritten signature in black ink, appearing to read "Corbett B. Coburn", followed by a stylized flourish or mark.

**CORBETT B. COBURN  
PRIMARY EXAMINER**